

1 UNITED STATES PATENT AND TRADEMARK OFFICE

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3
4 BEFORE THE BOARD OF PATENT APPEALS
5 AND INTERFERENCES
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8 *Ex parte* FUMITAKE YODO
9

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11 Appeal 2007-3875
12 Application 09/600,509
13 Technology Center 3600
14

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16 Decided: November 29, 2007
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19 *Before:* MURRIEL E. CRAWFORD, LINDA E. HORNER, and JOSEPH
20 A. FISCHETTI, *Administrative Patent Judges.*
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22 CRAWFORD, *Administrative Patent Judge.*
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25 DECISION ON APPEAL
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27 STATEMENT OF CASE

28 Appellant appeals under 35 U.S.C. § 134 (2002) from a final rejection
29 of claims 1, 4, 5, and 7. Claims 2, 3, 6 and 8-12 have been cancelled. We
30 have jurisdiction under 35 U.S.C. § 6(b) (2002). A hearing was held on
31 October 25, 2007.

32 Appellant invented an accounting system which includes an
33 accounting center and a terminal device for communicating with the
34 accounting system. The terminal device includes a first and second
35 controller. The second controller is adapted (1) to transmit accounting point

4
1information to the accounting center and (2) to set the accounting point
2information to an initial value based on an accounting processing status
3received by the terminal device from the accounting center (Substitute
4Specification 56).

5 Claim 1 under appeal reads as follows:

6 1. An accounting system including an accounting center and a
7 terminal device for communicating with the accounting center,
8 comprising:
9 a first memory built in the terminal device and adapted to store
10 accounting point information;
11 a second memory included in the terminal device and adapted
12 to store information received from an external source external to the
13 terminal device;
14 a first controller included in the terminal device and adapted to
15 update the accounting point information stored in the first memory
16 and to update attributes of the received information when the received
17 information is stored in the second memory,
18 wherein when the received information is stored into the second
19 memory the first controller reduces the accounting point information
20 stored in the first memory and updates the attributes of the received
21 information from an unavailable state to an available state; and
22 a second controller included in the terminal device and adapted
23 to transmit the remaining accounting point information stored in the
24 first memory to the accounting center and to set the remaining
25 accounting point information to an initial value based on an
26 accounting processing status received by the terminal device from the
27 accounting center corresponding to the remaining accounting point
28 information, wherein the accounting center performs an accounting
29 process based on the remaining accounting point information
30 transmitted from the terminal device.

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32 The Examiner rejected claims 1, 4, 5, and 7 under 35 U.S.C.
33§ 103(a) as being unpatentable over Peterson in view of Kupka, Akiyama,
34and White.

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1 The prior art relied upon by the Examiner in rejecting the claims on
2appeal is:

3	Akiyama	US 5,539,825	Jul. 23, 1996
4	Peterson	US 5,857,020	Jan. 05, 1999
5	Kupka	US 6,434,535 B1	Aug. 13, 2002
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7White, Ron, *How Computers Work* 1-324 (4th Ed., Que Corp., Sep. 18,
81998).

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10 The Examiner relies on Peterson for teaching the invention as claimed
11except, in the Examiner's view, Peterson does not explicitly describe storing
12or updating accounting points on a user's card. The Examiner relies on
13Akiyama, Kupka, and White for supplying the subject matter deemed
14missing from Peterson.

15 Appellant contends that Peterson does not disclose a second controller
16adapted to (1) transmit remaining accounting point information stored in the
17first memory and (2) set the remaining accounting point information to an
18initial value based on an accounting processing status received by the
19terminal device.

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21 ISSUE

22 The issue is whether the Appellant has shown that the Examiner erred
23in finding that Peterson discloses a terminal device having a second
24controller adapted to set the remaining accounting point information to an
25initial value based on an accounting processing status received by the
26terminal device.

1 FINDINGS OF FACT

2 Appellant's invention is an accounting system that includes a terminal
3device having a point memory. The point memory stores accounting points.
4A specific number of accounting points e.g., 100 points is established as an
5initial value (Substitute Specification 32, 49). The accounting points are
6utilized to purchase information from an information distribution center and
7upon purchase the accounting points stored in the point memory are reduced
8accordingly (Substitute Specification 50 to 51). The terminal device
9includes a second controller which is adapted to periodically transmit the
10remaining accounting point information which is stored in the point memory
11to a remote accounting center (Substitute Specification 53). The accounting
12center performs an accounting process based on the accounting points
13transmitted by the second controller and prepares data for drawing from the
14bank account of the user sufficient to restore the accounting points to their
15original value e.g., 100 points (Substitute Specification 56). When the
16accounting process is complete at the accounting center i.e., when the
17amount necessary has been withdrawn from the user's bank account, the
18accounting center sends an OK notification to the second controller. Upon
19receipt of the OK notification, the second controller sets the accounting
20points in the point memory to the initial value i.e., 100 points, for example.

21 Peterson discloses, in one embodiment depicted in Figure 1, a
22terminal device having a controller 32 that is in communication with a
23remote accounting center 16 via a modem 40. The controller 32 transmits a
24request to the accounting center 16 for authorization to view media content
25(col. 8, ll. 4-5). The accounting center 16 determines whether there is a

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1sufficient amount of money in the user's account to purchase the right to
2view the content. If the accounting center 16 determines that there is a
3sufficient amount in the user's account to purchase the authorization to view
4the content, the accounting center 16 sends a message to the controller 32
5that the request is granted (col. 8, ll. 13-18). Upon receipt of the
6authorization to view the content, the controller 32 proceeds with a
7decryption process so that the user can view the content (col. 9, ll. 4-7). In
8this embodiment, the accounting process and the storage of accounting
9credits takes place at the accounting center 16.

10 In a second embodiment, Peterson discloses a terminal device which
11operates with a smart card which stores the amount of funds prepaid by a
12consumer and a decryption key (col. 9, ll. 45-47). The card reader on the
13terminal device determines whether the smart card contains enough funds to
14view a chosen content and if so adds the desired content to an authorization
15list (col. 9, ll. 59-63). Peterson discloses that funds on the smart card may
16be adjusted manually by a remote authorization center or through an
17automatic online process (col. 9, ll. 48-53). Peterson does not disclose a
18controller in the terminal device which is adapted to set the accounting
19points to an initial value.

20 Modem 40 of Peterson is not a controller adapted to set the remaining
21accounting point information to an initial value. Modem 40 is disclosed as
22associated with the embodiment of Figure 1 in which the accounting funds
23are stored at the authorization center 16. Modem 40 is a device that
24transmits information between controller 32 and accounting center 16 but is
25not capable of calculations necessary to set accounting information to an

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1initial value in the terminal device. In fact, in the embodiment of Figure 1,
2there is no accounting point memory in the terminal device. In the
3embodiment of Figure 3, the accounting point memory is contained on the
4smart card. Peterson does not disclose that a modem or any other type of
5device that may be considered a second controller is provided that is capable
6of setting the points on the smart card to an initial value. The accounting
7center sets the value of the accounting points on the smart card either
8through a manual process or in an online process.

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10 ANALYSIS

11 The Appellant has established that the Examiner erred in finding that
12Peterson discloses a terminal device having a second controller adapted to
13set the remaining accounting point information to an initial value. In view
14of the foregoing, we will not sustain the rejection of the Examiner.

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16 REVERSED

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